

**SCHEEF & STONE, L.L.P.***Legal counsel based on solid principles.***Facsimile Information Sheet**DATE: December 23, 2003 CLIENT MATTER 1515.104TO: Examiner Harold PittsFIRM/COMPANY NAME: U.S. Patent and Trademark OfficeFACSIMILE NO. (703) 306-5515 TELEPHONE NO. (703) 306-3329RE: 10/052,405TOTAL NUMBER OF PAGES 7 (including this Facsimile Information Sheet)FROM: Jack Stone (214) 706.4207 (direct dial)

MESSAGE: This communication will be sent via first class mail also.

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\_\_\_\_\_, Operator

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## SCHEEF &amp; STONE, L.L.P.

*Legal counsel based on solid principles.*

## CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

Date of Mailing: December 23, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the above identified date.

Diane Taylor      Diane Taylor  
Typed or printed name of person mailing paper or fee      SIGNATURE of person mailing paper or fee

December 23, 2003

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DOCKET NO. 1515.104

Sir:

In re: U.S. Serial No. 10/052,405

Title: **METHOD AND APPARATUS FOR ASSOCIATING  
IDENTIFICATION AND PERSONAL DATA FOR MULTIPLE  
MAGNETIC STRIPE CARDS OR OTHER SOURCES**

Enclosed please find:

- ☒ Request for Continued Examination (including authorization to charge Deposit Account) (in duplicate);
- ☒ Copy of faxed communication from PTO;
- ☒ Affidavit; and
- ☒ Return post card.

The undersigned requests that this RCE be considered timely filed as Applicant did not receive the communication from the PTO until December 18, 2003, as indicated on the enclosed copy of the faxed communication and Affidavit.

- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication, or credit any overpayment, to Deposit Account No. 50-2032. A duplicate copy of this sheet is enclosed.
  - ☒ Any additional filing fees required under 37 CFR 1.16
  - ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

By: Jack D. Stone, Jr.  
Jack D. Stone, Jr., Reg. No. 38,324  
Attorney for Applicant

PTO/SB/30 (03-03)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/052,405
Filing Date	January 17, 2002
First Named Inventor	Frank J. Gangi
Art Unit	2876
Examiner Name	Pitts, Harold I.
Attorney Docket Number	1515.104

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☒ Affidavit(s)/ Declaration(s)

iv. ☒ Other Copy of faxed communication from PTO

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☒ Deposit Account No. 50-2032

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Jack D. Stone, Jr.	Registration No. (Attorney/Agent)	38,324
Signature	<i>Jack D. Stone, Jr.</i>	Date	DEC-23-2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Diane Taylor	Date	12/23/03
Signature	<i>Diane Taylor</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DEC-23-2003 TUE 06:05 PM

12/18/03 15:17 FAX 7033065515

FAX NO.

P. 04  
001/003

# Wynette Stapor

United States Patent and Trademark Office

Customer Service Center, Technology Center 2800

Phone 703/306-3329

Fax 703/306-5515

Date: 12/18/03

To: Diane Taylor

From: Wynette Stapor

Total # of pages-including cover sheet: 3

Fax # 214-706-4242

Here is a copy of the Office Communication dated 09/05/03 for S/N 10/052405.  
Please call me if I can be of any more assistance. My number is 703-306-5720..

Wynette Stapor

Customer Service Office

TC 2800

FAX\*FAX\*FAX\*FAX\*FAX\*FAX\*FAX\*FAX\*FAX\*FAX

DEC-23-2003 TUE 06:05 PM

12/18/03 15:17 FAX 7033065515

FAX NO.

002/003 P. 05



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
P.O. Box 1470  
Alexandria, Virginia 22304-1470  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,405	01/17/2002	Frank J. Gangl	34283-00010USP1	4099

7590

09/05/2003

Stanley R. Moore, Esq.  
Jenkins & Gilchrist, P.C.  
Suite 3200  
1445 Ross Avenue  
Dallas, TX 75202-2799

EXAMINER

PITTS, HAROLD I

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 09/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.


**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

0,052,405			
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.

EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

1. ☒ The communication filed 6/10/03 is informal/non-responsive for the reason(s) checked below and should be corrected. APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER OR UNTIL THE EXPIRATION OF THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION (WHICHEVER IS LONGER) WITHIN WHICH TO CORRECT THE INFORMALITY.

- a. ☐ The amendment to claim(s) \_\_\_\_\_, filed \_\_\_\_\_, fails to comply with the provisions of 37 C.F.R. 1.121 and is accordingly held to be non-responsive. A supplemental paper correcting the informal portions and complying with the rule is required.
- b. ☐ The paper is unsigned. A duplicate paper or ratification, properly signed, is required.
- c. ☐ The paper is signed by \_\_\_\_\_, who is not of record. A ratification or a new power of attorney with a ratification, or a duplicate paper signed by a person of record, is required.
- d. ☐ The communication is presented on paper which will not provide a permanent copy. A permanent copy, or a request that a permanent copy be made by the Office at applicant's expense, is required, see M.P.E.P. 714.07.
- e. ☐ Other

2. ☐ In accordance with applicant's request, THE PERIOD FOR RESPONSE FROM THE OFFICE ACTION DATED \_\_\_\_\_ IS EXTENDED TO RUN \_\_\_\_\_ MONTH(S).

No further extension will be granted unless approved by the Commissioner. 37 C.F.R. 1.136 (b)

3. ☐ Receipt is acknowledged of papers submitted under 35 U.S.C. 119 which papers have been made of record in the file.

4. ☒ Other

THE APPLICANT HAS SWITCHED INVENTIONS FROM A "WALLET CONSOLIDATOR" TO A DATA PROCESSING SYSTEM. THE NEW CLAIMS MUST BE PROSECUTED IN AN RCE.

Handwritten Signature  
 Primary Examiner

ATTORNEY DOCKET NO.  
1515.104

PATENT  
Customer ID 30793

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**


In re Application of : FRANK J. GANGI  
US Serial No. : 10/052,405  
Filed : January 17, 2002  
For : METHOD AND APPARATUS FOR ASSOCIATING  
IDENTIFICATION AND PERSONAL DATA FOR MULTIPLE  
MAGNETIC STRIPE CARDS OR OTHER SOURCES  
Group No. : 2876  
Examiner : Pitts, Harold I.

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AFFIDAVIT OF JACK D. STONE, JR.**

I, Jack D. Stone, Jr., Affiant herein, hereby aver as follows:

1. I am a patent attorney registered with the United States Patent and Trademark Office, Registration No. 38,324.
2. I am the attorney of record for the applicant in the above-identified patent application.
3. On December 17, 2003, my legal assistant called the Patent Office to check the status of the above-referenced application. She was informed that a communication was mailed September 5, 2003. Applicant never received said communication. The Patent Office agreed to fax the communication to Applicant and did so on December 18, 2003. A copy of the fax is enclosed herewith.
4. All statements made herein are true to the best of my knowledge. I understand that willful false statements made herein are punishable by fine, imprisonment, or both, and may jeopardize the validity of the patent.

  
Jack D. Stone, Jr.